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June 6, 2022

Georgia State Election Board  
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**RE: OFFICIAL COMPLAINT**

Board Members:

Please see the complaint below pertaining to a serious matter of great public importance requiring the immediate attention of the Georgia State Election Board.

**Official Complaint: 2022 Fulton County Primary Recertification**

The Fulton County Board of Registration and Elections (BRE) held an emergency meeting on Sunday, June 5<sup>th</sup>. The purpose of the meeting was to re-certify the primary election results.

It's important to note that this meeting was not noticed to the public and the live stream link normally provided on the Fulton County website for BRE meetings was unavailable. The only platform on which the live stream was found was on Facebook. Also, the meeting began one hour late and was not open to public comment.

All of these factors defy transparency, but when these accompany the impromptu recertification of election results on a Sunday afternoon, it is simply unacceptable.

The video link for the meeting is below and begins at the 59 minute-mark:

[\\*\\*Hearing at 59:00 mark\\*\\* Fulton Co GA \\*emergency\\* hearing at 2pm EST \(rumble.com\)](#)

BRE vice-chair Kathleen Ruth chairs the meeting. Teresa Crawford and Aaron Johnson are the only other board members present.

The Fulton County Election's Director, Nadine Williams, explained that the meeting was being held under emergency provisions because the Georgia Secretary of State required Fulton County to certify the May 24<sup>th</sup> primary election results before 9:00 AM on Monday, June 6<sup>th</sup>, and there was simply no other time in which a meeting could be held with a Quorum. Ms. Williams then says that Dominic Olomo (former Dominion employee) will explain the reason which necessitated the recertification of the results.

**Dominic Olomo (1:03:00)**

*On yesterday we found out that we had some precinct had some compact flash card. During election night we extract result files, images, and log files from CF card, from compact flash cards. We found out some precincts have discrepancies. Some CF cards were not pulling- some precincts were not pulling result files. Some were pulling images and log files. While some would have some images and log files, not result files. The result file is where we, you know, we use to do the tabulation. Import the result. The images inputs ballot images, The log file gives us the activity on the scanner, at the precinct level. So, we have those discrepancies, and it was just like, you know- know how to say- technical issue.*

**Dr. Ruth:**

*So this was a technical issue. Not that there were flash drives found- in -a... That's not what happened?*

**Dominic Olomo:**

*No*

**Dr. Ruth:**

*So all of the flash drives, right, were accounted for, for all precincts?*

**Dominic Olomo:**

*Correct*

**Dr. Ruth:**

*Um, this is a situation where the log file, so there is technical discrepancy where the result file and the log file was not reading together. Or was not reading the same?*

**Dominic Olomo:**

*No. So, on the CF card you can pull the log file. Log files, images and results file. Some pulled the images and the log file- not the results. Some pulled the results not the log files and the images. So in this discrepancy, they're like pulling one out of three, you're pulling two of three, you're pulling one of two.*

Mr. Olomo describes a discrepancy in the election results which he claims was caused by poll managers failure to save the correct election results files to the tabulator's compact flash card. Not only are Mr. Olomo's claims incorrect, but they are also impossible.

To understand the problem with Mr. Olomo's assertions, it is important to first understand the situation. Mr. Olomo is referencing the Dominion tabulators at each polling location. The specific tabulator he's referencing is the Dominion ImageCast Precinct (ICP) as shown below:



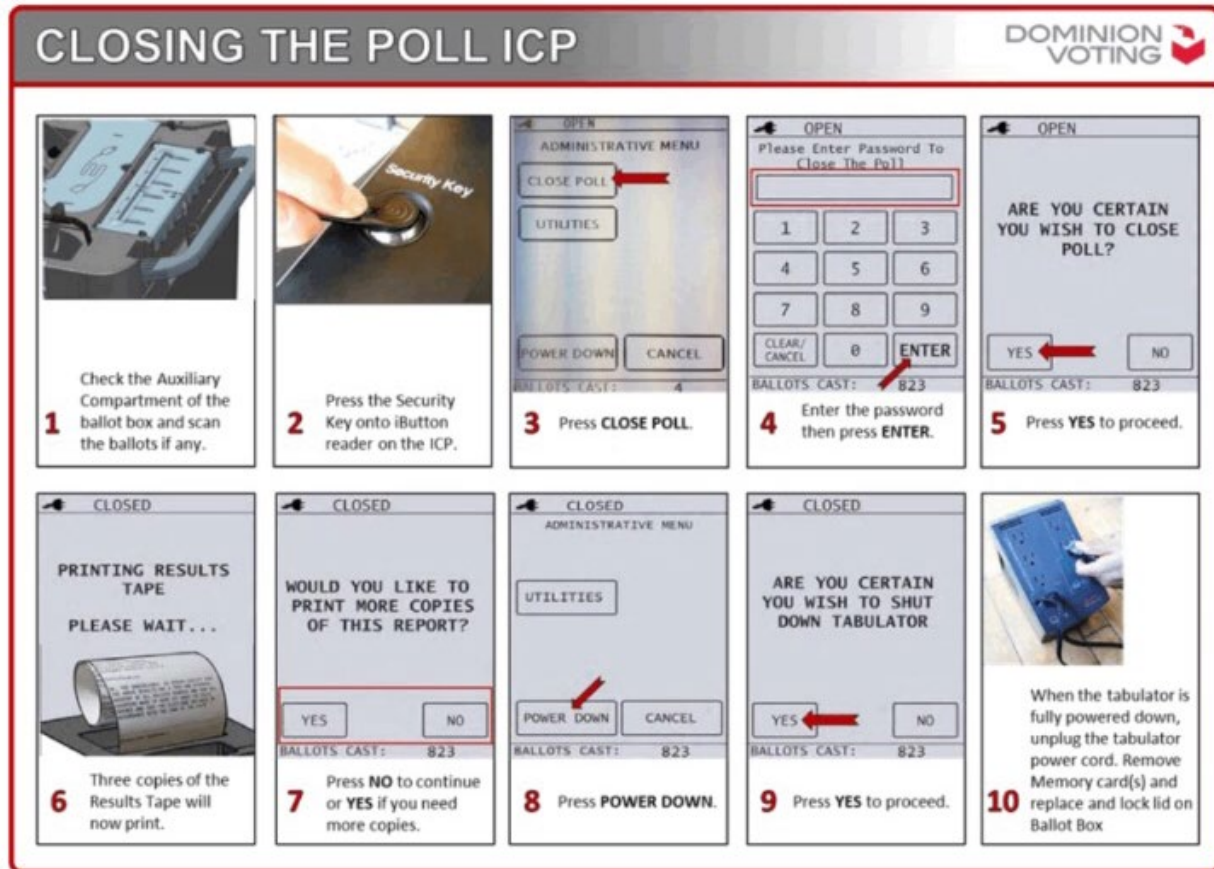
The Dominion ImageCast Precinct (hereinafter referred to as "ICP") stores ALL information on 2 compact flash cards, each of which is an identical copy of the other for redundancy. The ICP has no accessible internal hard drive or storage for election information besides the twin compact flash cards.

During an election as ballots are scanned, the ICP saves the electronic copy or ballot image to the compact flash cards. Also saved on the compact flash cards during the course of the election is a running tally for each candidate, for each race, or contest. Lastly, a system log, or "SLOG" which lists each tabulator activity is also stored on the compact flash cards.

In summary, the ballot images, vote count and system logs are all maintained/stored/saved on the compact flash cards and **ONLY** the compact flash cards for the duration of the election.

When the polls close at 7 pm on election day, the poll manager selects the option on the ICP to "close the poll". The ICP then counts the tallies for each contest (tabulates), prints the poll closing tapes and then automatically saves the results to the only place it can- to the compact flash cards.

From the Georgia Poll Manager Manual:



There is no action required by the poll manager to save any of the information to the compact flash cards as it is done so automatically. In fact, even if the poll manager failed to close the polls on the ICP, all of the election information would still exist on the card with the exception of the sum total for each contest (this essentially describes the Georgia Advance Voting process).

The following is an excerpt from the August 19, 2020 Declaration of Professor J. Alex Halderman- in which he describes the ICP compact flash cards (Attached hereto as “Exhibit A”):

6. After polls close, election workers remove the memory cards from every ICP scanner and return them to the county. At that point, the memory cards contain a digital image of each scan as well as the scanner’s interpretation of the votes contained in the barcode. County workers use the Dominion EMS to retrieve data from the cards and prepare the final election results based on the barcode readings.

Again, besides the 2 compact flash cards there is no other storage medium, memory, reservoir, or vessel, which holds the ballot images, vote count, results, log files or any other necessary election information.

After the polls are closed and the tabulator tapes are printed, poll managers remove the compact flash cards from the ICP and transport them to the English Street Warehouse.

From the Georgia Poll Manager Manual ([Georgia Poll Worker Manual 2021.pdf \(ga.gov\)](#))

## **CLOSING THE POLLS**

### **Posting on the Door**

At the close of polls the following must be posted on the door:

- One set of tapes from the Polling Place Scanner
- Yellow copy of the Provisional Ballot Recap Sheet



### **Reminders**

- Remember that the memory cards, electors list, ballots, provisional bag and any other documents and supplies required of your county office
- Make sure you record what time the last voter voted on the recap sheet
- Remember to post the results tape and the yellow copy of the Provisional/Challenged Recap sheet on the polling place door
  - Even if the recap of the Provisional/Challenged is zero, you need to record that and post the yellow copy
- Remember to take the Poll worker memory card out of each Polling Place Scanner to return with recap sheets and other items as determined by your county office
- Make sure all machines are sealed at the end of the day
- Review checklist provided by the County Office for all items to be returned

After the compact flash cards are delivered, Mr. Olomo and one other Fulton County employee are responsible for uploading the results from each compact flash card to the Fulton County Election Management Server. After the compact flash cards from every polling location are uploaded, the election results are published to the Secretary of State.

Now that the voting equipment, function and relevant Fulton County election procedures have been established, let's review the reason for the election results discrepancy provided by Mr. Olomo.

**Mr. Olomo:**

*So, on the CF card you can pull the log file. Log files, images and results file. Some pulled the images and the log file- not the results. Some pulled the results not the log files and the images. So in this discrepancy, they're like pulling one out of three, you're pulling two of three, you're pulling one of two*

Because all election information exists only on the compact flash cards (no "pulling", pushing saving, or selecting required), the reason for the discrepancy or error in the election results that Mr. Olomo provided to the board is false.

Furthermore, Mr. Olomo is a former Dominion employee and has several years of experience with this very same equipment in this same location, which all but removes any possibility that he is mistaken or incompetent (The deposition of Mr. Dominic Olomo taken before the 2020 general election is attached hereto as "Exhibit B").

The meeting continues with Dr. Ruth asking Mr. Olomo how the problems necessitating recertification can be prevented in the future. Mr. Olomo explains that he has prepared an S.O.P. and a checklist for poll managers to make sure they get the right files. (As clearly established above, there is no procedure or process that can ensure what already happens automatically. All files are stored on the compact flash cards regardless of what the poll manager does or does not do.)

Dr. Ruth then proceeds to ask Mr. Olomo about the size of the discrepancy between that which was previously certified and what was being recertified. She specifically asks about the change or number of vote count difference between the two, or how many votes were being "added".

Mr. Olomo says that he can get that information to her at a later time.

**The Fulton County Board of Registration and Elections then voted to re-certify the election results without knowing the totals they were certifying nor the difference between what they had already certified and what they were recertifying.**

Certification is defined as the act of ensuring something is genuine or authentic. The Fulton County Board of Registration and Elections literally certified election results without knowing what they were. This bears repeating, louder.

**THE FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS LITERALLY CERTIFIED ELECTION RESULTS WITHOUT KNOWING WHAT THE ELECTION RESULTS WERE THAT THEY WERE CERTIFYING.**

Perhaps the obvious needs to be explained. Election results can not be verified without knowing what the results are. This is analogous to signing loan papers to purchase a car without knowing how much the car or the loan costs.

In further affirmation as to the ludicrous state of affairs in Fulton County, one of the board members actually takes issue with a comment by Dr. Ruth regarding the importance of restoring confidence in Fulton County elections. Aaron Johnson tells Dr. Ruth that he prefers the word “maintain” instead of “restore”. He says that it is proper to say “it’s important that we ***maintain*** confidence in Fulton County elections” as opposed to restore confidence because restore suggests that public confidence has been lost. Immediately thereafter he votes to recertify unknown election results changed by inarguably false reasons.

The certification of election results is an official act, duty and very serious responsibility. One which obviously and inherently requires command of the facts, understanding of the process and due diligence to authenticate and reconcile the results. All impossible without having the exact numbers, much less no numbers at all. Because proper certification could not have, and therefore did not occur, I seek the following true and proper remedy:

I ask that the Georgia State Election Board immediately call for an emergency meeting and vote to reject the Fulton County certification, followed by a proper SEB verification and certification of the Fulton County election results.

I also ask that the SEB open an investigation to find the true cause of any election results discrepancy and the reasons behind Mr. Olomo’s false statements to the Fulton County BRE. Considering that Mr. Olomo is also responsible for the UN-CERTIFIED poll tapes representing over 311,000 votes for the 2020 general election as detailed in a previously filed complaint, I ask that the SEB place Mr. Olomo on paid leave pending the outcome of the investigation.

Electronic file provided via email with original submitted via U.S. Certified Mail.

Respectfully Submitted this 6<sup>th</sup> day of June, 2022,



**Kevin M. Moncla**